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*Counsel for the Joint Official Liquidators
of Silicon Valley Bank (Cayman Islands Branch)
(in Official Liquidation)*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: : Chapter 15
: :
: Case No. ____ - _____
SILICON VALLEY BANK :
(CAYMAN ISLANDS BRANCH) (in :
Official Liquidation) :
: :
Debtor in a :
Foreign :
Proceeding.¹ :

**APPLICATION FOR ORDER TO SHOW CAUSE WHY
PROVISIONAL RELIEF PURSUANT TO 11 U.S.C. §§ 105(A), 1519,
AND 1521 SHOULD NOT BE GRANTED**

Andrew Childe, Niall Ledwidge and Michael Pearson, in their capacities as the duly appointed joint official liquidators (“JOLs” or “**Foreign Representatives**”) of Silicon Valley Bank (Cayman Islands Branch) (in Official Liquidation), an estate in official liquidation (“**SVB Cayman**” or the “**Debtor**”) under the supervision of the Grand Court of the Cayman Islands,

¹ Silicon Valley Bank is registered under Part IX of the Cayman Islands Companies Act, with registration number 193670.

Financial Services Division (the “**Grand Court**”), Cause No. FSD 163 of 2023 (DDJ) (the “**Cayman Proceeding**”), pursuant to the Cayman Islands Companies Act (2023 Revision) (the “**Companies Act**”) and associated regulations, including the Companies Winding Up Rules (2018) (collectively, the “**CWR**”) and the Insolvency Practitioners Regulations, by their undersigned United States counsel, Holland & Knight LLP, respectfully submit this Application (the “**Application**”), seeking entry of an Order to Show Cause (“**OSC**”), substantially in the form attached as **Exhibit A**, why provisional discovery authority and related relief pursuant to sections 105(a), 1519(a)(1) through (3), and 1521(a)(4) of title 11 of the United States Code, 11 U.S.C. § 101 *et seq.* (the “**Bankruptcy Code**”) should not be granted. A Memorandum of Law in Support of this Application (the “**Memorandum**”) is filed concurrently herewith. A proposed order granting the provisional relief requested herein is attached hereto as **Exhibit B**.

In further support of the Application, the JOLs have contemporaneously filed, and hereby incorporate by reference, the Official Form Petition commencing the above-captioned Chapter 15 proceeding (the “**Chapter 15 Case**”), the Verified Petition (together with the Official Form Petition, the “**Petition**”), and the accompanying Declaration of Michael Pearson executed on January 18, 2024 (the “**Pearson Declaration**”) and the exhibits attached thereto.

Through the Application, the JOLs seek entry of an order granting provisional relief to prevent irreparable harm to SVB Cayman and the Cayman Proceeding pending recognition pursuant to sections 105(a), 1519, and 1521 of the Bankruptcy Code in the form of an order provisionally:

- granting immediate rights to obtain discovery through the examination of witnesses, taking of evidence or the delivery of information directed at the Federal Deposit Insurance Corporation, in its corporate capacity (“**FDIC-C**”) and the Federal Deposit Insurance Corporation, in its capacity as receiver for Silicon Valley Bank, Santa Clara and Silicon Valley Bridge Bank, N.A. (“**FDIC-R**”, and

collectively with FDIC-C, the “**FDIC**”) regarding the Debtor’s assets, affairs, rights, obligations and/or liabilities pursuant to 11 U.S.C. § 1521(a)(4).

WHEREFORE, the Foreign Representatives respectfully request that this Court enter the Proposed Order granting the relief requested herein and such other and further relief as may be just and proper.

Dated: January 18, 2024
New York, New York

HOLLAND & KNIGHT LLP

/s Warren E. Gluck
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